

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: LOCAL RULE OF BANKRUPTCY PROCEDURE 2090-1

NOTICE

Pursuant to 28 U.S.C. §2071(e), the Judges of the United States District Court for the Eastern District of Pennsylvania adopted the following amendments to Local Rule of Bankruptcy Procedure 2090-1 on January 6, 2003, effective February 1, 2003. These amendments were adopted to ensure uniformity, consistency and conformity between the local rules and procedures of the bankruptcy court and the local rules and procedures of the district court with respect to attorney admission procedures. A copy of the Order of the Court amending this Local Bankruptcy Rule is attached. Those wishing to comment on these new rules may do so by writing to Michael E. Kunz, Clerk of Court, United States District Court for the Eastern District of Pennsylvania, United States Courthouse, 601 Market Street, Room 2609, Philadelphia, PA 19106. Comments are to be received no later than March 5, 2003.

Copies of the new Local Bankruptcy Rules may be obtained from the Office of the Clerk of Court by submitting a written or faxed request. The facsimile numbers are: 215-597-6390 and 267-299-7135. The amendments are also available on the Internet at <http://www.paed.uscourts.gov> and/or <http://www.paeb.uscourts.gov>.

With the amended section of this local rule (namely section (c)) in **bold**, Local Rule of Bankruptcy Procedure 2090-1 will read as set forth below.

JAMES T. GILES
Chief Judge

"Attorneys—Admission to Practice

(a) *Attorney Practice Before the Court.* Only an attorney who either is (i) admitted to practice in the United States District Court for the Eastern District of Pennsylvania and presently in good standing before the district court; (ii) representing the United States and authorized to practice before the district court under Local Civil Rule 83.5(e); or (iii) admitted to practice pro hac vice under subdivision (c) may practice before the court.

(b) *General Admission.* An attorney who is admitted to practice in the United States District Court for the Eastern District of Pennsylvania and presently in good standing before the district court is automatically admitted to practice before this court and is a member of the bar of this court.

(c) **Admission Pro Hac Vice.** An attorney who is a member in good standing of the bar of any United States District Court or the highest court of any state or of the District of

Columbia may be admitted to practice before this court in a particular case.

(i) Adversary Proceedings. A request for admission pro hac vice to appear in an adversary proceeding shall be made by verified application and upon motion of a member of the bar of this court and shall be accompanied by an admission fee established by the district court. The motion may be granted without hearing under L.B.R. 9014-2; however, no such admission shall be effective until such time as the fee has been paid.

(ii) Non-Adversary Proceedings. A request for admission pro hac vice to appear in any matter other than an adversary proceeding shall be made as set forth in subparagraph (c)(i) above, except that :

(A) No admissions fee is required; and

(B) The court, in its discretion, may waive the requirement of a written application and motion, and in lieu thereof may permit same to be made on the record by a member of the bar of this court.

(d) *Student Practice.*

(1) Generally. A law student may appear before the court in any case or matter on behalf of any person if the person on whose behalf the law student is appearing has indicated in writing consent to that appearance and the approved supervising attorney, who must be counsel of record for the person on whose behalf the law student is appearing, has also indicated in writing his approval of that appearance.

(2) Eligibility Requirements. In order to be eligible to appear before the court, the law student must:

(i) be duly enrolled in a law school approved by the American Bar Association;

(ii) have completed legal studies amounting to at least three semesters, or the equivalent if the school is on a basis other than a semester basis;

(iii) be introduced to the court in which the law student is appearing for the first time by an attorney admitted to practice before the court;

(iv) announce to the court each time that the law student appears that the student is a law student appearing pursuant to this rule;

- (v) neither ask for nor receive any compensation or remuneration of any kind for services from the person on whose behalf he renders services; and
 - (vi) have read and be familiar with the Rules of Professional Conduct adopted by the Supreme Court of Pennsylvania, as amended from time to time, and any Rule of professional conduct adopted, from time to time, by the United States District Court for the Eastern District of Pennsylvania, the F.R.Evid., the F.R.Civ.P., the F.R.B.P., the Code, and L.B.R. and the L.B.F.
- (3) Compensation. An eligible law student may be paid by an attorney, legal services agency, law school, public defender agency, or the United States Government.
- (4) Termination of Eligibility. The eligibility of a law student to appear before the court or perform other services in a bankruptcy case or proceeding may be terminated by any judge within this district after notice and hearing.
- (5) Supervising Attorney. Any member of the bar of this court who chooses to supervise an eligible law student:
- (i) shall be an attorney who has previously received from the Board of Bankruptcy Judges approval to supervise eligible law students, such approval having been given after the filing of an application;
 - (ii) shall assume personal professional responsibility for the quality of the services performed by the law student; and
 - (iii) shall assist the law student in his preparation to the extent necessary to make the product of the law student's efforts indistinguishable from those of a licensed member of the bar.
- (6) Role of Students. The clerk shall maintain a role of all approved supervising attorneys and law students.
- (7) Miscellaneous. Nothing contained in this rule shall affect the right of any person who is not admitted to practice law to perform any act he might lawfully perform prior to the adoption of this rule.

